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Attorneys for Defendant
JERRY NEHL BOYLAN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY NEHL BOYLAN,

Defendant.

Case No. 2:22-CR-00482-GW

***EX PARTE APPLICATION TO FILE
DOCUMENTS UNDER SEAL;
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION
OF COUNSEL***

Jerry Boylan, by and through the undersigned, applies to this Court for an order
that Exhibit A, lodged herewith, be filed under seal.

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1 This application is based upon the attached memorandum of points and
2 authorities and the declaration of counsel.

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4 Respectfully submitted,

5 CUAUHTEMOC ORTEGA
6 Federal Public Defender

7 DATED: September 6, 2023

By /s/ Georgina Wakefield

8 GEORGINA WAKEFIELD
9 GABRIELA RIVERA
10 JULIA DEIXLER
11 Deputy Federal Public Defenders
12 Attorneys for JERRY NEHL BOYLAN
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MEMORANDUM OF POINTS AND AUTHORITIES

The Office of the Federal Public Defender represents Jerry Boylan. Counsel requests that the two enclosed documents be filed under seal. This Court is empowered to seal documents under appropriate circumstances. *See United States v. Mann*, 829 F.2d 849, 853 (9th Cir. 1987); Central District of California Local Rule 79-5.1.

Counsel respectfully submits that it is appropriate that the Court order these pleadings be filed under seal. The government opposes this application.

Respectfully submitted,

CUAUHTEMOC ORTEGA
Federal Public Defender

DATED: September 6, 2023

By /s/ Georgina Wakefield

GEORGINA WAKEFIELD
GABRIELA RIVERA
JULIA DEIXLER
Deputy Federal Public Defenders
Attorneys for JERRY NEHL BOYLAN

DECLARATION OF COUNSEL

I, Georgina Wakefield, hereby state and declare as follows:

1. I am a Deputy Federal Public Defender in the Central District of California assigned to represent Jerry Nehl Boylan in the above-titled action.

2. Enclosed as Exhibit A are two notices sent by the government about its intent to introduce evidence under Federal Rule of Evidence 404(b). The government intends to file a motion in limine seeking admission of these categories of evidence. Given the sustained media coverage of this case, I believe it is necessary for the government's motion to be filed under seal to prevent public dissemination of evidence that the Court might exclude at trial. Otherwise, prospective jurors could learn about this evidence from news sources even though the Court may ultimately exclude it, thereby putting Mr. Boylan's right to a fair trial in jeopardy.

3. I am providing the two notices to give the Court an overview of the categories of evidence the government will describe in its motion and their prejudicial nature. I am requesting to file the notices under seal for the reasons already discussed above.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: September 6, 2023

By /s/ Georgina Wakefield

GEORGINA WAKEFIELD